

HUMAN SERVICES BOARD

INTRODUCTION

FINDINGS OF FACT

1. The petitioner lives with her minor child. Her most recent application for Food Stamps was in January 2009.
2. In a decision dated January 6, 2009 the Department found the petitioner eligible for Food Stamps as January 1, 2009, but determined that her countable income made her eligible for an allotment of only \$14 a month.
3. The petitioner does not dispute the Department's determination that her gross income is \$1,392 a month from a wages and child support. She also does not dispute that the Department correctly determined her shelter deduction based

on her reported rent and utility expenses. She also qualified for, and does not dispute the amounts of, a standard deduction (\$144) and an earned income deduction (\$278.42), leaving her with net monthly income of \$1,204.88.

4. The gist of the petitioner's appeal is that the regulations do not take into account other types of household expenses such as credit card payments and installment payments on personal loans, which, in her case, consume much of her remaining disposable income.

ORDER

The Department's decision is affirmed.

REASONS

The Food Stamp regulations include all earned and unearned income in the computation of eligibility and benefit levels. See Food Stamp Manual (F.S.M.) § 273.9(b). Deductions from income are limited to those specifically itemized in the regulations. F.S.M. § 273.9(d). As noted above, it appears that the Department correctly calculated her net income and allowable deductions as of the date of her application.

Under the regulations the Food Stamp allotment for a household of two with \$1,204.88 in net income is \$14.

Procedures Manual § 2590D. Inasmuch as the Department's decision in this matter accurately reflects the petitioner's countable income and expenses as of January 2009, and is in accord with the applicable regulations, the Board is bound by law to affirm. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 1000.4D.

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